



AGENDA
BOARD OF ADJUSTMENT
JUNE 15, 2016
5:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

1. CALL TO ORDER

2. ROLL CALL / DETERMINATION OF A QUORUM

3. APPROVAL OF MINUTES

Approval of Minutes from the May 18, 2016 BOA Regular Meeting.

Documents: [2016 05-18 BOA RM Minutes Draft.pdf](#)

4. NEW BUSINESS

4.1. HAMMERTIME AMELIA, LLC

Variance from LDC Section 4.02.03(E) requiring C-1 properties to have a ten (10) foot rear yard setback requirement. (*Quasi-Judicial*)

Documents: [Hammertime_BOA 2016-15_agenda packet.pdf](#)

5. COMMENTS BY THE PUBLIC

Members of the public are invited to address the BOA on items of concern not listed on the agenda.

6. BOARD BUSINESS

7. STAFF REPORT

8. ADJOURNMENT

NEXT SCHEDULED BOA REGULAR MEETING IS JULY 20, 2016

Quasi-Judicial – Denotes that the item must be conducted as a Quasi-Judicial hearing in accordance with City Commission established procedure and Florida Statutes.

All members of the public are invited to be present and be heard. Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 (for the hearing or speech impaired).

All interested parties may appear at said meeting and be heard as to the advisability of any action, which may be considered with respect to such matter. For information regarding this matter, please contact the Community Development Department (904) 310-3135. If any person decides to appeal any decision made by the Board of Adjustment with respect to any matter considered at such meeting he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

MINUTES

1. **Call to Order** – The meeting was called to order at 5:00 pm.
2. **Roll Call / Determination of a Quorum**

Board Members Present

Tisha Dadd, Chair
Marcy Mock
Matt Miller (alternate)

Michael Spino, Vice-Chair
Charles Burns
Barry Hertslet (alternate)

Board Members Absent

Lynn Williams

Others Present

Tammi Bach, City Attorney
Jacob Platt, City Planner
Sylvie McCann, Recording Secretary

Member Miller was seated as a voting member for this meeting due to the absence of Member Williams. There were no ex parte communications to be disclosed by the board members. City Attorney Bach briefly explained the quasi-judicial procedures.

3. **Approval of Minutes** - The April 20, 2016 Meeting Minutes were presented for approval. Mr. Platt corrected the Minutes to reflect that Member Hertslet did not second the motion. **A motion was made by Member Spino, seconded by Member Burns, to approve the Minutes as corrected. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

4. **Old Business** – Recording Secretary McCann administered the oath to the parties that were about to present testimony.

- 4.1. **JESS NEWBERN C/O RANDY RICE, 2600 S. FLETCHER AVENUE (BOA 2015-09) **AMENDED**** Amendment to reflect 810 SF existing structure to be designated as an accessory structure so a fully code compliant structure be designated as primary structure. (*Quasi-Judicial*)

Mr. Platt explained this case came before the board last year seeking a variance from two sections of the Land Development Code (LDC). He stated there is an existing single family residence on this property, and a variance was granted for LDC Section 5.01.04(A)(1) and Section 5.01.04(A)(3) relating to the accessory structure. He pointed out the proposed project as amended only needs a variance for the total square footage exceeding 625 square feet. He provided details from the summary of this request as contained in the staff report, including the proposed amendment was more consistent with the LDC than the previously approved request. He explained granting this amendment the existing house would be labeled as the accessory dwelling and a new primary structure would be built to meet the applicant's needs. He pointed out the applicant would still have to go through the Florida Department of Environmental Protection (FDEP) for permits related to the Coastal Construction Control Line (CCCL). He presented further details of this case as contained in the staff report including that the request was consistent with the six criteria for granting a variance.

Member Miller questioned if the other structure was 100% compliant with the zoning regulations. Mr. Platt replied all the applicant was seeking to do was to make the current structure the accessory dwelling, and a new structure would be built as a primary structure detached from the accessory structure. He stated the new structure would be fully compliant with all LDC requirements.

Mr. Randy Rice, Rice Architects, 961687 Gateway Boulevard, explained Mr. Newbern has gone through a long process and there has been a change with how FDEP and the local jurisdictions deal with things. He briefly commented about the change of plans to meet the applicant's needs, and pointed out the existing house would be the guest house and the other house would be the primary structure. He stated the lot they have is a double size lot (100 feet wide). He explained this would allow the owner to build what he needs and keep the guest house intact as well as keep everything within budget.

Mr. Paul Butler, 95335 Barnwell Road, commented this seems like an outstanding idea.

A motion was made by Member Burns, seconded by Member Mock, to approve the amended BOA 2015-09; and that the BOA make the following findings of fact and conclusions of law part of the record that amended BOA case 2015-09 as presented is substantially compliant with the Comprehensive Plan and the Land Development Code to warrant approval at this time. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

5. New Business

5.1. PAUL A. BUTLER, 798 BARRINGTON DRIVE (BOA 2016-14) Variance from LDC Sections 4.02.03(E).(*Quasi-Judicial*)

Mr. Platt explained the City had a building permit application come in and Mr. Butler and his contractor staked out the property to give an idea of the envelope due to a substantial tree in the front yard. He pointed out this is a corner lot and it has a 15 foot side yard setback for the side abutting the street, and the other side is 10% of the lot width. He stated the Barrington subdivision has a minimum square footage requirement, and explained that he talked with Mr. Butler about shifting the house. He commented Mr. Butler realized the tree was a substantial asset to his property and the neighborhood so staff felt it was a logical step to apply for a variance. He referred to the criteria for granting a variance and reported that all six criteria were met and recommended approval. He explained the request was to shift the structure five feet so that the driveway would not be right on top of the root system. He presented pictures of the tree and the lot. He commented part of the 15 foot setback was to protect visibility corridors, and given the shift the structure was still outside that visibility corridor.

Mr. Paul Butler concurred with staff and noted there might be a concern with visibility on the corner. He explained on the front property line on Amelia Road there is an existing subdivision stucco fence. He stated he was trying to save the tree and have it look better. There was a brief discussion about the location of the lot being the first lot when you pull into the subdivision and that this was on a straight portion of Amelia Road.

A motion was made by Member Miller, seconded by Member Mock, to approve BOA 2016-14; and that the BOA make the following findings of fact and conclusions of law part of the record that BOA case 2016-14 as presented is substantially compliant with the Comprehensive Plan and the Land Development Code to warrant approval at this time. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

6. **Comments by the public** – There were no comments from the public at this time.
7. **Board Business** – Mr. Platt reported that the next meeting would be June 15th.
8. **Adjournment** - There being no further business to come before the Board of Adjustment the meeting was adjourned 5:25 pm.

Sylvie McCann , Secretary

Tisha Dadd, Chair



BOA 2016-15
 2045 S. Fletcher Ave.
 June 6, 2016

BOARD OF ADJUSTMENT STAFF REPORT

Case Number 2016-15

Meeting Date June 15, 2016

Owner/Applicant Hammertime Amelia LLC

Property Location: 2045 S. Fletcher Avenue

Parcel Number: 00-00-31-1360-0004-0000

Requested action: VARIANCE from LDC Sections 4.02.03(E) Requiring C-1 properties to have a Ten Foot rear yard setback.

Current zoning: C-1

FLUM land use category: General Commercial

Existing uses on the site: Bar and Restaurant

All required application materials have been received. All fees have been paid. All required notices have been made.

I. SUMMARY OF REQUEST AND BACKGROUND INFORMATION:

The applicant is requesting to reduce the ten foot rear yard setback to one foot from the property line. According to the Property Appraiser’s website the original structure was built in 1945 with multiple additions throughout the years. Currently Hammerhead Beach Bar operates in the eastern portion of the Building and the western side of the building has been occupied by a Barbeque restaurant for many years.

Table 4.02.03(E). Standards for Building Heights and Setbacks

Zoning District	Maximum Building Height (ft.) ¹	Minimum Setback			
		Front (ft.)	Side ²	Rear (ft.)	Corner Lot (side abutting street) (ft.) ³
C-1	45	None	None ⁴	10	10

4. Where access is provided from an alley or public street to the rear of the principal building, no side yard setback is required. Where such access is not available, one side yard shall be a minimum of ten feet. Any other side yard shall have a minimum side yard setback of zero feet

This particular property is located within one of the City’s designated Job Opportunity Areas (Exhibit A).¹ The Job Opportunity Areas are identified in the City’s Comprehensive Plan Economic Development Element, which recognizes that support existing businesses is an essential component of a sustainable community.

¹ Job Opportunity Areas Map



BOA 2016-15
2045 S. Fletcher Ave.
June 6, 2016

II. **CONSISTENCY WITH THE COMPREHENSIVE PLAN:**

The following Comprehensive Plan statements are applicable in this case:

- Policy 1.02.07 – The City shall implement the Fernandina Beach Comprehensive Plan in a manner that acknowledges private property rights.
- Policy 1.02.10 – The City shall protect privacy and access to light, air, and open space. The City shall consider regulations such as building placement on a site, building design, and building orientation as one means to achieve this policy.

III. **CONSISTENCY WITH THE LAND DEVELOPMENT CODE:**

Variance procedures and criteria are set forth in Sections 10.02.01 through 10.02.04.

- Section 10.02.01(B) states that the BOA may authorize a variance from the design and improvement standards of the LDC, except for areas within the Historic District Overlay or the CRA Overlay, where requirements of Section 10.02.00 are met.
- Section 10.02.02(B) states that the applicant for a variance has the burden of proof of demonstrating that the variance application complies with each of the requirements of Section 10.02.02(A).
- Section 10.02.04 sets forth the application requirements. This application includes information necessary for the BOA to make the required findings.
- Section 10.02.01(C) sets forth the limitations on the grant of a variance:
 1. A variance shall not be granted which authorizes a use that is not permissible in the zoning district in which the property subject to the variance is located.
 2. A variance shall not be granted which authorizes any use or standard that is prohibited by the City's Comprehensive Plan.
 3. No nonconforming use of adjacent lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts, shall be considered grounds for the authorization of a variance.
 4. A variance shall not change the requirements for concurrency.
 5. A variance shall not be granted to permit the use of a single media peonia for the construction of a dwelling unit.
 6. A variance shall not be granted if the evidence submitted by an applicant is a demonstration of financial hardship or economic considerations.
 7. A variance shall not be granted for procedure or process components of this Land Development Code.
 8. A variance shall not be granted to deviate from LDC section 4.02.02 to combine two (2) or more lots which would result in a lot width greater than 100 feet for lots or parcels that abut Ocean Avenue, North Fletcher Avenue, or South Fletcher Avenue.

Staff's review of this application finds it is not subject to any of these limitations and can therefore be considered by the Board.



BOA 2016-15
 2045 S. Fletcher Ave.
 June 6, 2016

I. SECTION 10.02.02(A) – REQUIRED FINDINGS FOR GRANTING OF A VARIANCE

In order for an application for a variance to be approved or approved with conditions, the BOA shall make a positive finding with regard to each of the following provisions:

Consistent with Criteria?

All questions must be answered in the affirmative in order for staff to recommend approval of a variance. Negative answers must be addressed in the findings.

<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>1. <u>Special Conditions</u>: <i>Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. Special conditions or circumstances do not result from actions of the applicant and are not based on a desire to reduce development costs.</i></p> <p>Yes. Special conditions <u>do</u> exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. The site has existing nonconforming additions that were built to within one and two feet of the rear property line. Those existing unenclosed covered decks and patios can remain and nothing prevents the ordinary and routine maintenance and repairs of nonconforming structures.</p>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>2. <u>Special Privilege</u>: <i>Granting the variance does not confer upon the applicant a special privilege that is denied by the Land Development Code to other lands, structures, or buildings in the same zoning district.</i></p> <p>No. Granting the variance <u>does confer</u> upon the applicant a special privilege that is denied by the Land Development Code to other lands, structures, or buildings in the same zoning district. Other properties with existing nonconforming structures can only be expanded in square footage where such expansion meets all requirements of the Land Development Code, per section 10.01.02(B).</p>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>3. <u>Literal Interpretation</u>: <i>Literal interpretation of the provisions of the Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.</i></p> <p>No. Literal interpretation of the Land Development Code <u>would not</u> deprive the applicant of rights enjoyed by others properties. All new development, redevelopment and additions within the C-1 zoning district must comply with all Land Development Code requirements.</p>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>4. <u>Minimum Variance</u>: <i>The variance requested is the minimum variance needed that will make possible the reasonable use of the land, structure, or building.</i></p> <p>No. The variance requested <u>is not</u> the minimum variance needed to make possible the reasonable use of the land, structure, or building. However, this property is within one of the City’s designated Job Opportunity Areas. The City’s Economic Development Element Objective 12.05 discusses existing land patterns for employment-generating uses and promotes sustainable development and redevelopment of properties within its designated Job Opportunity Areas.</p>



BOA 2016-15
 2045 S. Fletcher Ave.
 June 6, 2016

<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>5. <u>General Harmony</u>: Granting the variance will be in harmony with the general intent and purpose of the Land Development Code and Comprehensive Plan.</p> <p>Yes. Granting the variance <u>will</u> be in harmony with the general intent and purpose of Land Development Code and Comprehensive Plan. Granting this variance will allow the owner to reinvest in a property within the Job Opportunity Area. C-1 zoned properties typically provide for a transition between land uses. The ten foot rear yard setback requirement is intended to provide a buffer for neighboring residential properties.</p>
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>6. <u>Public Interest</u>: Granting the variance is compatible with surrounding properties, will not cause injury to the area involved, or otherwise be detrimental to the public health, safety, welfare or environment.</p> <p>Yes. Granting of a variance <u>is</u> compatible with surrounding properties, will not cause injury to the area involved, or otherwise be detrimental to the public health, safety, welfare or environment. Granting of this variance will only enhance this area by allowing the property owner to make improvements to a structure that is in need of reinvestment. This is supported by Comprehensive Plan Policy 12.03 which directs the City to maintain strategies that support and promote the expansion of existing businesses within the City, including its small businesses.</p>

V. ANALYSIS:

The variance requested is consistent/inconsistent with the criteria for granting a variance as follows:

	Consistent	Inconsistent
1. Special Conditions	X	
2. Special Privilege		X
3. Literal Interpretations		X
4. Minimum Variance		X
5. General Harmony	X	
6. Public Interest	X	

The applicant appears to meet criteria 1, 5 and 6 but does not meet criteria 2, 3 and 4 for granting a variance, therefore staff has to recommend denial.

VI. MOTION TO CONSIDER:

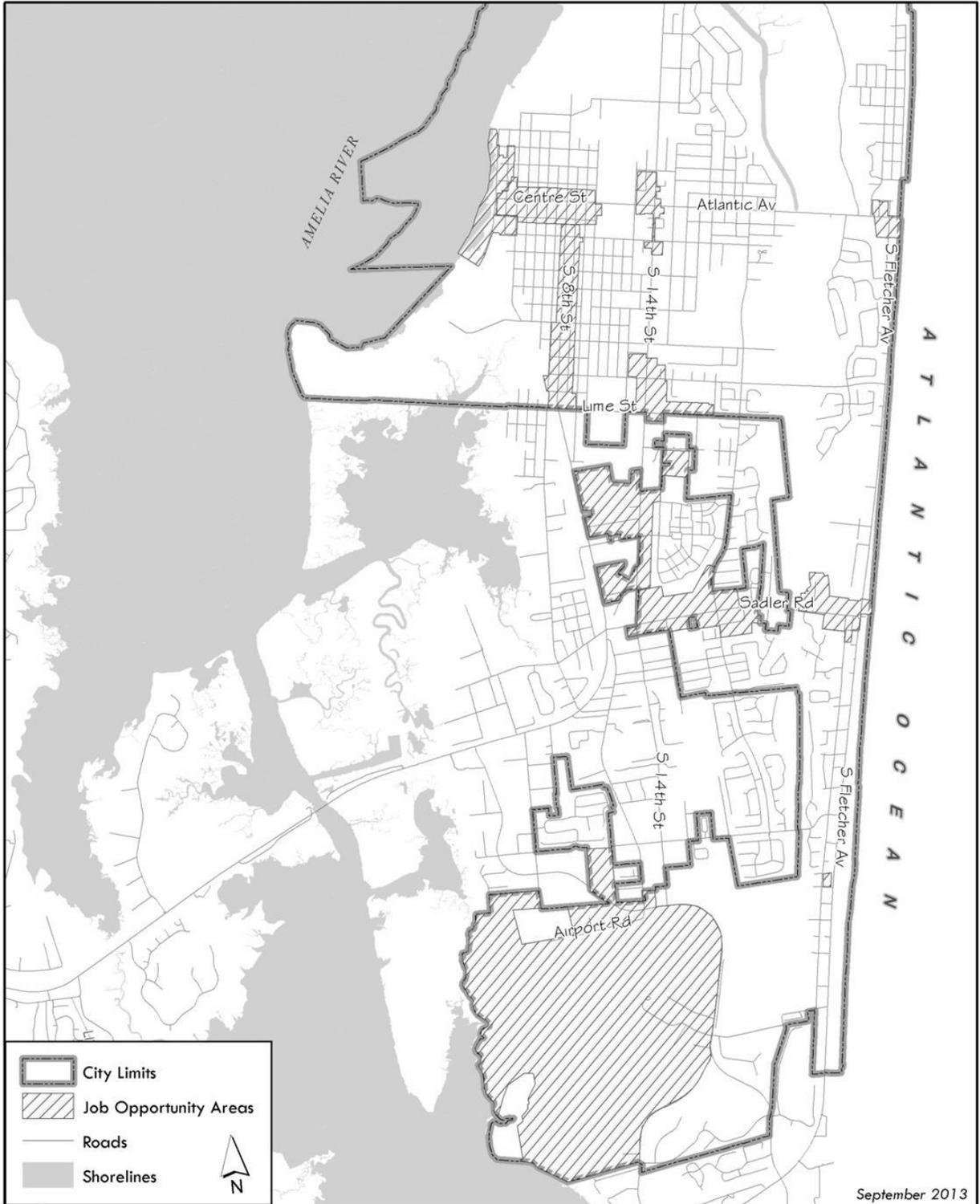
I move to **approve or deny** BOA case number 2016-15; AND I move that the BOA make the following findings of fact and conclusions of law part of the record: That BOA case 2016-15, item, as presented, **is or is not** substantially compliant with the Comprehensive Plan and Land Development Code to warrant approval at this time.

Jacob M. Platt, Planner I
 Community Development Department



EXHIBIT A

Job Opportunity Areas Map



OFFICE USE ONLY

RECD: 5/16/16 BY: [Signature]
PAYMENT: \$650 TYPE: CK 246
APPLICATION #: 2016-000816
CASE #:
BOARD MEETING DATE:



APPLICATION FOR VARIANCE FROM THE LDC



APPLICANT INFORMATION

Owner Name: HammerTime Amelia LLC
Mailing Address: 117 Centre St. Fernandina Beach, 32034
Telephone: 904 206-0425 Fax: 904-432-1124
Email: DLHALL7007@AOL.COM Hilary@theAimq

Agent Name: N/A
Mailing Address:
Telephone: Fax:
Email:

PROPERTY INFORMATION

Street Address: 2045 S. Fletcher Ave
Parcel Identification Number(s): 20-00-31-1360-0004-0000
Lot Number: 4 Block Number: Hamby's Sub

PROJECT INFORMATION

Variance(s) requested from LDC Section(s): Sec 4.02.03 TABLE E C1-Rear yard setback

Brief description of work proposed (use additional sheets if necessary):

Rebuild Existing Kitchen area & SERVICE AREA ON REAR OF HAMMERHEAD BAR.

In order for an application for a variance to be approved or approved with conditions, the BOA or the HDC must make a positive finding with regard to each of the provisions below. The applicant has the burden of proof of demonstrating that the application for a variance complies with each of the requirements. Please explain in detail how your case meets the following requirements:

1. Special Conditions: Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. Special conditions or circumstances do not result from actions of the applicant and are not based on a desire to reduce development costs.

See attached

2. Special Privilege: Granting the variance does not confer upon the applicant a special privilege that is denied by the Land Development Code to other lands, structures, or buildings in the same zoning district.

3. Literal Interpretation: Literal interpretation of the provisions of the Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.

See attached

4. Minimum Variance: The variance requested is the minimum variance needed that will make possible the reasonable use of the land, structure, or building.

5. General Harmony: Granting the variance will be in harmony with the general intent and purpose of the Land Development Code and Comprehensive Plan.

See attached

6. Public Interest: Granting the variance is compatible with surrounding properties, will not cause injury to the area involved, or otherwise be detrimental to the public health, safety, welfare or environment.

See attached

If your property is located within the Historic Districts or the Community Redevelopment Area, please fill out responses to the supplemental variance criteria, attached as Appendix A, on a separate sheet of paper.

SIGNATURE/NOTARY

The undersigned states the above information is true and correct as (s)he is informed and believes.

5/14/14 Date
[Signature] Signature of Applicant

STATE OF FLORIDA }
 ss }
COUNTY OF NASSAU }



VICKIE ASPINWALL
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF916545
Expires 11/13/2017

Subscribed and sworn to before me this 16 day of May, 2016.
Vickie Aspinwall Notary Public: Signature
Vickie Aspinwall Printed Name

11/13/17
My Commission Expires

Personally Known X OR Produced Identification _____ ID Produced: _____



Attached

May 16, 2016

Attention:

Board of Adjustments
Planning Dept., COFB

Re: Variance Synopsis Letter for 2045 S. Fletcher Ave

This letter is part of the required documentation for the Request for Variance to COFB Land Development Code sections 4.02.03 (E) C-1 Setback; Rear

Synopsis:

1. Special Conditions:
Rear alley in C-1 gives fire break eliminating need for rear setback.
2. Special Privilege:
Precedent of this structure and neighbor currently have 0 or minimal 1 foot setback.
3. Literal Interpretation:
Precedent of this structure and neighbor currently have 0 or minimal 1 foot setback.
4. Minimum Variance:
Existing structure is a non-conforming space in use- enclosed and unenclosed.
5. General Harmony:
Yes- conforming existing C-1 occupancy and simply enhancing effectiveness.
6. Public Interest:
By conforming the service area it will increase Public Safety. Neighboring structure to the south is built with no rear yard setback.

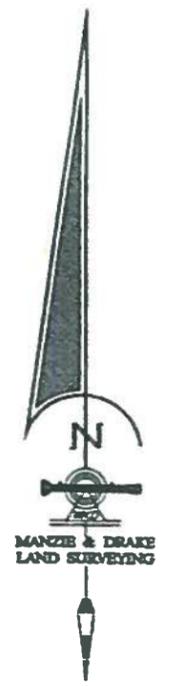
Sincerely,

RR

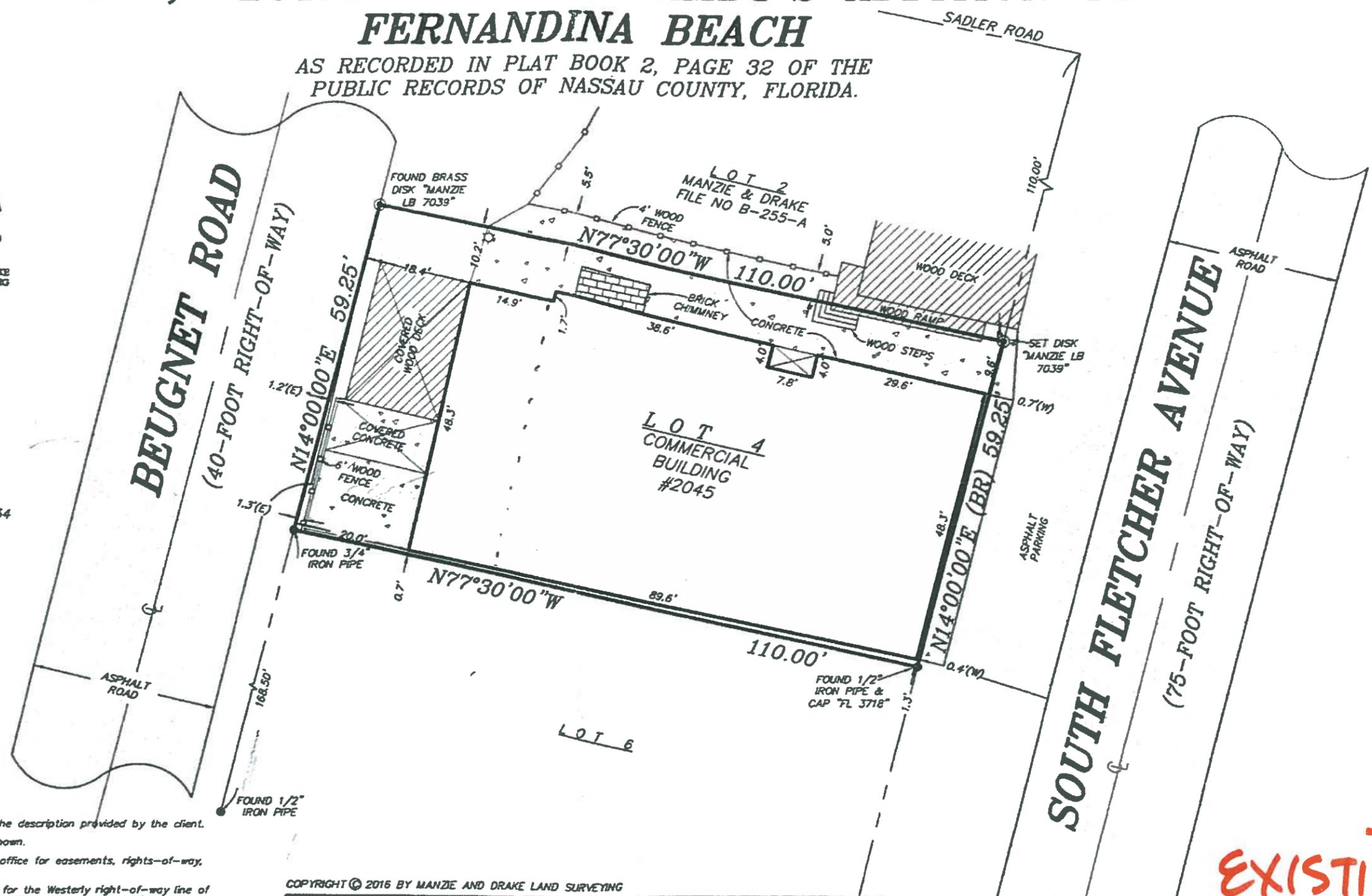
Randolph L. Rice, AIA, NCARB
AR0017749
Rice Architect LLC

MAP OF BOUNDARY SURVEY LOT 4, SECTION ONE OF HAMBY'S ADDITION TO FERNANDINA BEACH

AS RECORDED IN PLAT BOOK 2, PAGE 32 OF THE
PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.



PREPARED FOR:
HAMMERTIME AMELJA, LLC
PROPERTY ADDRESS:
2045 SOUTH FLETCHER AVENUE
FERNANDINA BEACH, FLORIDA 32034



- LEGEND**
- ⊖ = CENTERLINE
 - ▭ = CONCRETE FLATWORK
 - ⊙ = LIGHT POLE
 - ▨ = COVERED AREA
 - ⊕ = WATER METER
 - ▭ = WOOD OR VINYL FENCE
 - ▨ = WOOD FLATWORK
 - ⊕ = WOOD POWER POLE

- SURVEY NOTES:**
- 1) The "Legal Description" hereon is in accord with the description provided by the client.
 - 2) Underground improvements were not located or shown.
 - 3) Lands shown hereon were not abstracted by this office for easements, rights-of-way, ownership or other instruments of record.
 - 4) Bearings shown hereon are based on S14°00'00"W for the Westerly right-of-way line of South Fletcher Avenue. The bearing reference line is indicated as thus (BR).
 - 5) "Unless it bears the signature and the original raised seal of a Florida licensed surveyor and mapper, this map/report is for informational purposes only and is not valid."
 - 6) The property shown hereon lies within flood zone "X" as per F.E.M.A. Flood Insurance Rate Map, Panel 12089C 0243E, Dated 12/17/2010. Flood Zone information listed above and shown on this survey is provided as a courtesy and is approximate at best. All data should be verified by Nassau County Building Department for accuracy. We assume no liability for its accuracy. Flood Zone information is not covered by the certification hereon and is not required to be shown per Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.
 - 7) This survey is protected by copyright and is certified only to the entities listed and only for this particular transaction. Any use or reproduction of this survey without the express written permission of the surveyor is prohibited. Use of this survey in any subsequent transactions is expressly prohibited and is not authorized. The surveyor expressly disclaims any certification to any parties in future transactions. No entity other than those listed should rely upon this survey.

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THE INFORMATION SHOWN HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Michael A. Manzie
MICHAEL A. MANZIE, P.L.S. 4069
2/23/16



MANZIE & DRAKE LAND SURVEYING

117 South Ninth Street, Fernandina Beach, FL 32034
(904) 491-5700 FAX (904) 491-5777

Certificate of Authorization Number "LB 7039"

"OUR SIGHTS ARE ON THE FUTURE,
SET YOUR SITES ON US."

SCALE: 1"=20' JOB NO: 18216 DATE: 02/19/16 CADD: BH
F.B. NO: X-283 PAGE NO: 42 FIELD CREW: CB FILE NO: A-4023

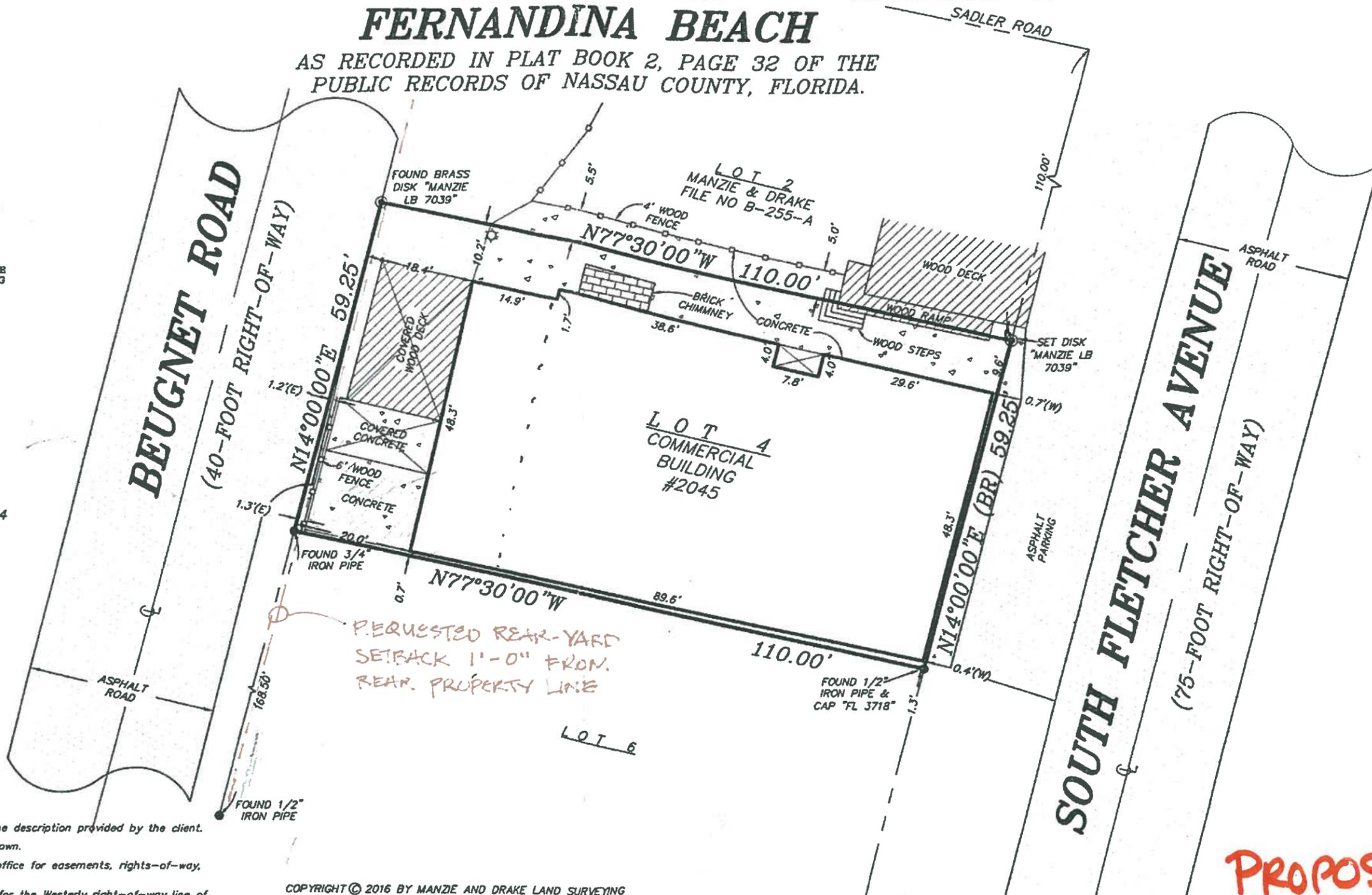
EXISTING

MAP OF BOUNDARY SURVEY LOT 4, SECTION ONE OF HAMBY'S ADDITION TO FERNANDINA BEACH

AS RECORDED IN PLAT BOOK 2, PAGE 32 OF THE
PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.



PREPARED FOR:
HAMMERTIME AMELIA, LLC
PROPERTY ADDRESS:
2045 SOUTH FLETCHER AVENUE
FERNANDINA BEACH, FLORIDA 32034



LEGEND

- ⊕ = CENTERLINE
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- ⊕ = WATER METER
- = WOOD OR VINYL FENCE
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SURVEY NOTES:

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- 6) The property shown hereon lies within flood zone "X" as per F.E.M.A. Flood Insurance Rate Map, Panel 12089C 0243F, Dated 12/17/2010. Flood Zone information listed above and shown on this survey is provided as a courtesy and is approximate at best. All data should be verified by Nassau County Building Department for accuracy. We assume no liability for its accuracy. Flood Zone information is not covered by the certification hereon and is not required to be shown per Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.
- 7) This survey is protected by copyright and is certified only to the entities listed and only for this particular transaction. Any use or reproduction of this survey without the express written permission of the surveyor is prohibited. Use of this survey in any subsequent transactions is expressly prohibited and is not authorized. The surveyor expressly disclaims any certification to any parties in future transactions. No entity other than those listed should rely upon this survey.

REQUESTED REAR-YARD
SETBACK 1'-0" FROM
REAR PROPERTY LINE

PROPOSED

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THE INFORMATION SHOWN HEREON MEETS THE
STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA
BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS
IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE,
PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Michael A. Manzie
MICHAEL A. MANZIE, P.L.S. 4069

2/23/16

MANZIE & DRAKE LAND SURVEYING

117 South Ninth Street, Fernandina Beach, FL 32034
(904) 491-5700 FAX (904) 491-5777
Certificate of Authorization Number "LB 7039"

"OUR SIGHTS ARE ON THE FUTURE,
SET YOUR SITES ON US."

SCALE: 1"=20' JOB NO: 18216 DATE: 02/19/16 CADD: BH
F.B. NO: X-283 PAGE NO: 42 FIELD CREW: CB FILE NO: A-4023

OWNER NAME	HAMMERTIME AMELIA LLC	PARCEL NUMBER	00-00-31-1360-0004-0000
MAILING ADDRESS	28 S 7TH STREET	TAX DISTRICT	FERNANDINA BEACH (DISTRICT 2)
		MILLAGE	20.6524
	FERNANDINA BEACH, FL 32034	PROPERTY USAGE	NIGHTCLUB/BARS
LOCATION ADDRESS	2045 FLETCHER AVE S	DEED ACRES	0
	FERNANDINA BEACH 32034	HOMESTEAD	N
SHORT LEGAL	LOT 4 PT OR 1786/444 HAMBYS SUB PB 2/32	PARCEL MAP RECORD	MAP THIS PARCEL
		TAX COLLECTOR SEARCH	NASSAU TAX COLLECTOR LINK
		PROPERTY RECORD CARD	LINK TO PROPERTY RECORD CARD

2015 Certified Values

JUST VALUE OF LAND
LAND VALUE AGRICULTURAL
TOTAL BUILDING VALUE
TOTAL MISC VALUE
JUST OR CLASSIFIED TOTAL VALUE
ASSESSED VALUE
EXEMPT VALUE
TAXABLE VALUE

Land Information

LAND USE	LAND UNITS	LAND UNIT TYPE	SEC-TWN-RM
NIGHT CLUB 003300	6,518	SF	12-3N-29

Building Information

TYPE	TOTAL AREA	HEATED AREA	BED ROOMS	BATHS	PRIMARY EXTERIOR	SECONDARY EXTERIOR	HEATING	COOLING	ACTUAL YEAR BUILT	
LOUNGE/BAR	4,979	4,132	0	0	AVERAGE	CB STUCCO	AIR DUCTED	FORCED AIR	1945	SHS SKE

Miscellaneous Information

DESCRIPTION	DIMENSIONS L x W	UNITS	YEAR BUILT
ASPHALT A	0 X 0	377	1970
ASPHALT A	0 X 0	711	1960
WOOD WALK	9 X 5	45	1986
CONC BUMPE	0 X 0	6	1980
ASPHALT A	0 X 0	1292	1992

Sales Information

SALE DATE	BOOK / PAGE	BOOK / PAGE	PRICE	INSTRUMENT	QUALIFICATION	IMPROVED? (AT TIME OF SALE)	GRANTOR	GRANT
03/30/2012	1786/444	1786/444	718200	WD	U	Y	HALL LOWELL & SHARON TRUSTEES	HAMMERTIME AI
12/13/2011	1770/932	1770/932	215000	TD	U	Y	FAMILY TRUST OF LOWELL HALL	HAMMERTIME AI
11/21/2011	1770/925	1770/925	16750	TD	U	N	TAYLOR ANITA H & LOWELL HALL TRUSTEES	HALL LOWELL & TRUSTEE

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WARRANTY DEED AND CORRECTED DEED

Parcel ID#00-00-31-1360-0060-0000;
00-00-31-1360-0002-0000;
00-00-31-1360-0058-0030 and
00-00-31-1360-0004-0000

THIS INDENTURE, Made this 30th day of March, 2012, between Lowell Hall and Sharon Hall, his wife, and as Trustees of the Family Living Trust of Lowell Hall dated November 21, 2011 a/k/a Living Trust of Lowell Hall dated November 21, 2011 a/k/a Lowell Hall Living Trust dated November 21,

The Above Space for Official Use Only

2011, whose address is 2021 South Fletcher Avenue, Fernandina Beach, Florida 32034, parties of the first part, and Hammertime Amelia, LLC, a Florida limited liability company, whose address is 28 South 7th Street, Fernandina Beach, Florida 32034, party of the second part,

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Seven Hundred Eighteen Thousand One Hundred Forty-four and 32/100 Dollars (\$718,144.32) and other valuable considerations, in hand paid by the said party of the second part, the receipt and sufficiency whereof is hereby acknowledged, have granted, bargained and sold to the said party of the second part, its successors and assigns forever, the following described land, situate, lying and being in the County of NASSAU, State of Florida, as more particularly described on Exhibit "A" attached hereto.

Subject to easements and restrictions of record (and by this reference it is not the intent to reimpose such easements and restrictions) and taxes levied subsequent to December 31, 2011.

This deed also is a corrective deed as to Parcel 4 in deed recorded in Volume 1770, page 932, official records, Nassau County, Florida.

Together with all tenements, hereditaments, and appurtenances thereto belonging or in any way appertaining.

To Have and to Hold, the same in fee simple forever.

And the parties of the first part hereby covenant with the party of the second part that the parties of the first part is lawfully seized of said land in fee simple; that the parties of the first part have good right and lawful authority to sell and convey said land; that the parties of the first part hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, this instrument has been executed by the party of the first part the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Calvin E. Hayden
Witness: Calvin E. Hayden

Mary B. Hayden
Witness: Mary B. Hayden

Calvin E. Hayden
Witness: Calvin E. Hayden

Mary B. Hayden
Witness: Mary B. Hayden

Lowell Hall
Lowell Hall, individually and as Trustee of the Family Living Trust of Lowell Hall dated November 21, 2011

Sharon Hall
Sharon Hall, individually and as Trustee of the Family Living Trust of Lowell Hall dated November 21, 2011

STATE OF FLORIDA
COUNTY OF NASSAU

The foregoing instrument was acknowledged before me this 30th day of March, 2012, by Lowell Hall and Sharon Hall, individually and as Trustees of the Family Living Trust of Lowell Hall a/k/a Lowell Hall Living Trust dated November 21, 2011, on behalf of the Trust, and who did not take an oath.

Mary B. Hayden
NOTARY PUBLIC

Personally known Identification Produced FL Drivers' Licenses



EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF Nassau, STATE OF FL, AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

LOT 60 AND 62, SECTION ONE OF HAMBY'S ADDITION TO FERNANDINA BEACH, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 32 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

PARCEL TWO:

THE EAST ONE-HALF OF LOT 58, SECTION ONE OF HAMBY'S ADDITION TO FERNANDINA BEACH, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 32 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

PARCEL THREE:

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE CITY OF FERNANDINA BEACH, COUNTY OF NASSAU AND STATE OF FLORIDA AND BEING FURTHER DESCRIBED AS FOLLOWS:

ALL OF LOTS NUMBERED A, B, C, D, E AND TWO (2) OF SECTION ONE (1) OF HAMBY'S ADDITION TO FERNANDINA BEACH, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 2, PAGE 32, RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT FOR NASSAU COUNTY, FLORIDA;

ALSO:

ALL OF THAT CERTAIN LOT OR PARCEL OF GROUND, ADJOINING SAID LOT NUMBERED TWO (2) DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF SAID LOT NUMBERED TWO (2); THENCE RUNNING NORTHERLY, ALONG OCEAN BOULEVARD, FOR A DISTANCE OF FIFTY (50.0) FEET; THENCE RUNNING WESTERLY, ALONG OCEAN STREET, FOR A DISTANCE OF FIFTEEN (15.0) FEET, TO THE NORTHEAST CORNER OF LOT NUMBERED "E", ACCORDING TO SAID PLAT THEREOF; THENCE RUNNING SOUTHERLY, ALONG THE EASTERN BOUNDARY LINE OF SAID LOT NUMBERED "E", FOR A DISTANCE OF FIFTY (50.0) FEET; THENCE RUNNING EASTERLY IN A STRAIGHT LINE, FOR A DISTANCE OF FIFTEEN (15.0) FEET, TO THE NORTHEAST CORNER OF SAID LOT NUMBERED TWO (2), AFORESAID, AND THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PART DESCRIBED IN OFFICIAL RECORDS BOOK 981, PAGE 154 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

PARCEL FOUR:

LOT 4, SECTION ONE OF HAMBY'S ADDITION TO FERNANDINA BEACH, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 32 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.